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May 18, 2018

**BY ECF**

Honorable Joan M. Azrack  
United States District Court  
Eastern District of New York  
Long Island Courthouse  
100 Federal Plaza  
Central Islip, New York 11722

**Ofra Levin and Isaac Levin v.  
J.P. Morgan Chase Bank, N.A., Kevin McHale  
Datwan Green and Brandon North, 17-CV-04893 (JMA) (AYS)**

Dear Judge Azrack:

We represent JPMorgan Chase Bank, N.A. (“Chase”) in the referenced action, pending before Your Honor (the “Pending Action”), involving the alleged loss of items from a safe deposit box at Chase, coupled with a demand for punitive damages. Plaintiffs’ motion to remand the Pending Action is *sub judice*. Following a pre-motion conference, Your Honor authorized Chase to move to dismiss the complaint, in lieu of answering, if the case is not remanded.

We write pursuant to Your Honor’s Individual Practices to respond to plaintiffs’ May 14, 2018 letter requesting a pre-motion conference to move to dismiss the Pending Action pursuant to Fed. R. Civ. P. 41(2). Plaintiffs have attempted to make an end run around Chase’s anticipated motion to dismiss by including all the causes of action asserted in the Pending Action in a new complaint they filed in State Supreme Court (the “New Action”). Plaintiff’s letter included a lengthy description of the additional issues allegedly involved in the New Action, describing claims involving their mortgage from Chase.

Plaintiffs also requested the Court’s assistance to re-initiate settlement negotiations to resolve all claims plaintiffs have asserted against Chase.

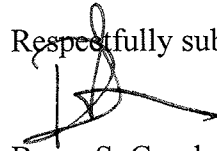
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Chase consents to re-open settlement negotiations under the Court's auspices in another attempt to reach a global resolution with plaintiffs. Chase objects to the other relief plaintiffs requested.

As we stated in our letter to the Court, dated May 8, 2018, Chase intends to remove the New Action to the United States District Court for the Eastern District and designate it as related to the Pending Action. Chase's time to remove the New Action has not expired. We respectfully request that Your Honor defer consideration of plaintiffs' request to move to dismiss the Pending Action until Chase removes the New Action.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Bruce S. Goodman', is written over the typed name.

Bruce S. Goodman

BSG:RMN:mzg

cc: Isaac Levin, pro se (by ECF)  
Ofra Levin, pro se (by mail)